



THE ONLY SCRANTON PAPER RECEIVING THE COMPLETE NEWS SERVICE OF THE ASSOCIATED PRESS, THE GREATEST NEWS AGENCY IN THE WORLD.

TWO CENTS.

SCHLEY'S SIDE OF THE CASE

Evidence Produced Yesterday More Favorable to Commander of Flying Squadron.

SUPPRESSED DISPATCH IS NOT ADMITTED

The Communication from Schley Which Failed to Reach Secretary Long Is Ruled Out of Court—Captain Cook Is Recalled and Gives Important Testimony Concerning the Conduct of Admiral Schley During the Engagement at Santiago—He Was Cool, Brave and Enthusiastic According to Witness.

By Exclusive Wire from The Associated Press. Washington, Oct. 15.—Only one new witness was heard in detail by the Schley court of inquiry today. This was Lieutenant Commander James H. Leary, who was Admiral Schley's flag lieutenant during the Spanish war. He gave a detailed account of the action on Santiago, including the brief fight at Chuecas—the retrograde movement of the flying squadron in search of the blockade, the landing of San Juan, the reconnoissance of the San Juan shore batteries and the bombardment of the Cristobal Colon, May 31, and the battle off Santiago July 31, when Cervera's fleet was destroyed. He placed the distance out of the blocking line at Chuecas at from one to four miles and at Santiago at from three to six miles. He expressed the opinion that in the battle of July 3 it had been the Vizcaya's intention to ram the Brooklyn.

While Commander Sears was on the stand Captain Leary asked his age, but the court after quite a prolonged consultation in retirement, decided that the question was not admissible. It held, however, that the time of service could be inquired into.

Dispatch Ruled Out.

Mr. Baynor sought to secure the introduction of a brief report of the battle of July 3 which Commander Schley prepared for transmission to the secretary of the navy. It was stated that Commander Sears had taken this dispatch ashore to be copied to the secretary, but that it never had reached the official. The dispatch was ruled out on the ground that it was not made out by an official communication. It was not read in the court room, but the following is a copy of it:

The Secretary of the Navy, Washington, D. C.—Spanish Squadron came out of Santiago harbor this morning, July 3, at 9 a.m. and were all captured or destroyed in a running fight to the southward of the port, lasting about four hours. Very few casualties in our fleet. One sailor, killed, and one man wounded in the port. The commander in chief now superintending transfer of prisoners from the Cristobal Colon, while surrendered to the Brooklyn and Oregon at 4 P.M. about 100 prisoners in all, including Spanish sailors. Victory complete. Details later. —Signed, Sears.

Captain Cook was recalled during the day, and in response to a question by Captain Leary, made an additional statement concerning the retrograde movement of the flying squadron, May 26 to May 28. He also said, in answer to a question by the court, that Commander Schley, during the battle of July 3, was "cool, brave and enthusiastic. I cannot imagine any conduct in battle more admirable."

THE TESTIMONY.

Washington, Oct. 15.—The presentation of the Schley story in the case of the court of inquiry was completed yesterday. At the end of Mr. Baynor's, the judge adjested to Lieutenant Commander James H. Leary, who was, as lieutenant, Admiral Schley's flag officer on board the Brooklyn during the war with Spain. The commander testified to many details concerning the Spanish campaign and was promptly succeeded by a number of other naval officers who sat on the Brooklyn.

Admiral Schley believes that the presentation of his testimony in his behalf can be completed this week and next. He will be the last to give an account of his conduct in the battle of July 3, the day of the bombardment of the Vizcaya. The records show that at that time he was not yet partake in the engagement. He did not take part in the battle of Santiago, and the ship was rapidly in need of repairs.

The Hard Apart Order. When the color guard, stand apart! I looked at the next vessel in our fleet—the Texas in my judgment, we were completely clear of her. After the two were completely clear, I said to the commanding officer, "Stand apart, stand apart," and then I called up the name of the leading State ship, with a steady converging course toward the leading ship. The smoke at this time was very dense, so that I could not see the leading ship, and occasionally we could get glances of the third. Shortly afterward the smoke lifted to the rear and saw the Oregon coming toward us, and then the smoke again obscured the view. I said to the commanding officer, "Stand apart, stand apart," and the Oregon, which she had to go toward the western shore about the time the Vizcaya turned, Vizcaya Ellis, who was a midshipman on the Oregon, told me that the Oregon was about one-half diameter from that ship now, and he said, "I think so, sir, I think so." Then I said to the commanding officer, "Stand apart, stand apart." And Captain Cook said, "It had stopped." The latter was then given the order, and the ship would rapidly in need of repairs.

During the conversation I had with Commander Schley I said that the water was not deep enough, but in accordance with the information I have had in England, I am in regard to the dimensions of the Spanish ships, they were not so large size that they could not gain in the narrowest of the channels of the river. The Oregon, I believe, had to make at the Diamond point, about the middle of the river, and I still believe that vessels of such size cannot enter Santiago, not being under the most favorable conditions of sea. I also was told by Admiral Schley that the English could enter the harbor and I answered him, "Yes, but consider it advisable for the conditions here to be much steeper, for the Spanish had laid them on to prevent the American fleet from entering in the port, and besides that they had too many torpedo lines across the entrance."

Sears Follows Nunez.

Lieutenant Commander Sears followed Nunez, Mr. Baynor, who was saying that he had been informed of the points of the recent and pending trial, and his rights as counsel as possible. Mr. Sears said that when the flying squadron arrived off Santiago, knew nothing of a code of signals for command of the ships.

Questioned concerning the McCloskey memorandum, he said that it had been brought to Commander Schley by the Hawk and by no other vessel to him. Commander Sears gave a detailed account of the encounter with the British steamer Hawk. The examination on that point being as follows:

"Now, coming to Chuecas give as the prin-

CHARITIES CONVENTION

Twenty-Seventh Annual Meeting of Directors of the Poor of Pennsylvania.

ADDRESS OF MR. BIDDLE

He Deplores the Action of the Legislature in Assuming Charge of the Lackawanna Hospital at Scranton. Favors Small Hospitals Throughout the State—Almshouse Work Is Discussed by George W. Beemer, of Lackawanna County, and Other Officials.

By Exclusive Wire from The Associated Press.

Allentown, Pa., Oct. 15.—About one hundred and fifty delegates from the state attending the 27th annual convention of the directors of the poor and charities of Pennsylvania, which opened this morning. Mayor Gillett made the address of welcome. E. E. Long, of Scranton, and Mrs. Lydia Walton of Chester responded.

President P. H. Briddisham, of Hollidaysburg, made his address in which he dealt largely with the case of county wards. He declared the statements of Mayor Frank M. Nichols, of Wilkes-Barre, that the system of almshouses in the state is unwise and uncharitable and its cost excessive, were unwarranted and by arguments and data proved the efficiency of the present system.

Hom, Cudahaway Biddle, of Philadelphia, general agent of the board of public charities of Pennsylvania, discussed the subject "State Appropriations to Private and Semi-charitable Institutions."

He declared that the state had reached its limit in aid and cannot further increase its appropriations to hospitals. He believed the best plan in the future would be to treat the sick and injured as those in the insane wards are treated—this is, that for each patient the state should pay a fixed amount and favor all hospitals throughout the state and deplore the action of the legislature in assuming charge of the Lackawanna hospital at Scranton. He said that many other hospitals would not want to be turned over to the state for maintenance.

Almshouse Work. The speaker, in discussing the engagement of July 3, the witness said:

"I was in my room when I heard the roar of the explosion and the call for help. I knew what that meant and ran to the quarter deck. I looked about to see if the signal had been sent, seeing that the signal had been sent, and that the ship had also been shelled upon one occasion when a meteoric vessel was sighted, also that the signal had been sent twice since to make it clear."

With reference to the blockade at Santiago the witness said it had been maintained at varying times, but had been discontinued and the commandant in chief, in that weather, and night the distance was less than in full weather.

The speaker then described the reconnoisseances of May 31, when the Colon was fired upon, and giving his conclusions with reference to that event, he said, "I had developed the strength of the Colon, and the Vizcaya was stronger than he had supposed when he left."

He said that the Colon had been shelled by the Vizcaya, and the Vizcaya was shot down by the Spaniards.

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'No, I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing toward the western shore, and I got a view of the next ship following in her wake. There was no observation that the Brooklyn was near, but the second ship was the second ship approaching, of course we were turned."

"The second ship passed in the wake of the first one, and I said to the commanding officer, 'Let me go to the stern and see if there are any more ships,' and he said, 'I think so.' Then I went to the stern and the second ship approached. I told him to hold on, and he said, 'I am going to turn over to you,' and the helm of the ship was easily turned one way or the other to keep our ship pointing